

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

IN THE UNITED STATES DISTRICT COURT
FOR THE EAST DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

MAY 27 2020

JAMMIE L. JONES #01893875
Plaintiff's Name and ID Number

David J. Bradley, Clerk of Court

HARRIS CO, JAIL, 761 N. SAN JACINTO, ST. HOUSTON TX 77002
Place of Confinement

CASE NO. _____
(Clerk will assign the number)

v.

E.D. GONZALES 1200 BAKER ST HOUSTON, TX 77002
Defendant's Name and Address

KIM OGA 500 JEFFERSON ST. HOUSTON TX 77002
Defendant's Name and Address

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND IN FORMA PAUPERIS (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "...if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? YES ☒ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: _____
 2. Parties to previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) _____
 4. Cause number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?) _____
 7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: _____

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? ☐ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: JAMMIE L. JONES #01893875, 5-E-3
701 N. SAN JACINTO ST. HOUSTON TX 77002,
see Attachment

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: ED GONZALES, Sheriff
1200 BAKER ST HOUSTON TX, 77002

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #2: KIM OGG, District Attorney
Refused to Release 500 Jefferson St Houston TX 77002

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Refused to Release Inmate with Agg. SEXUAL ASSAULT or sexual ASSAULT

Defendant #3: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

V. STATEMENT OF CLAIM:

~~Defendant's~~ SHERIFF ED GONZALES

ED. GONZALES SHERIFF OF HARRIS CO, JAIL
INMATES ARE BEING SENTENCE TO DEATH SENTENCE
OVER CORONAVIRUS, INCREASED QUARANTINE JAIL
CONDITION OF CONFINEMENT HARRIS COUNTY JAIL HOUSE
HAS PUT INMATES AND EMPLOYEES LIFE IN DANGER.
LEFT INMATES AGG. CRIMS IN JAIL TO DIE, MY LAWYER
FILE A MOTION FOR JUDGE JOSH HILL TO RELEASE OVER CORONAVIRUS
~~NO~~, OVER MY HEALTH, MAJOR DEPRESSION, A.D.H.
HIGH BLOOD PRESSURE, HE DENIED THE MOTION.
OLDER ADULTS ADVISED TO STAY HOME AS MUCH AS
POSSIBLE DURING CORONAVIRUS OUT BREAK U.S. HEALTH
TODAY ~~WAS~~ MARCH 10, 2020 TODAY ADULTS CORONAVIRUS
CAN BE MORE SERIOUS UNFORTUNATELY FROM A HYGIENIC PERSPECTIVE
THERE ARE CLOSE PARALLELS BETWEEN THE CONDITION ON A
CRUISE SHIP AND CONDITIONS IN JAIL FOR THEMSELVES
IN CLOSE PROXIMITY TO ONE ANOTHER SHARING CELLS
SINKS SHARING THE AIR THEY BREATHE, ~~AND~~
SHOWER. & BED 2 1/2 FEET APART. SOCIAL DISTANCING
IS EFFECTIVELY AN IMPOSSIBILITY IN JAIL CANNOT
PURSUE THAT ROUTE IN FULL INDICATING 3,500 INMATES
HAVE BEEN PLACED ON QUARANTINE CONFINEMENT IN HARRIS
CO, JAIL WHILE 1,000 INMATES BEEN RELEASED, INSIDE
HARRIS CO, JAIL ARE NOT DESIGNED FOR INMATES TO

Practice Social Distance, inmates who in
 Harris Co, Jail at high risk of contracting
 severe cases even dying of Covid 19. Continue to
 spread in Harris Co, Jail since the Pandemic began
 inmates out of inmate population of approximately
 4,000 this in light testing that been conducted 9
 inmates has die since the crisis began in
 Harris Co, Jail, for Covid 19 and quarantine
 individuals who contact with inmates infected
 Covid 19 place under quarantine 14 days ~~not~~ in a cell not
 check on by a nurse or Dr. end up die by Covid 19.
 Harris Co, Jail House limited medical facilities
 is a risk factor and the risk factor is our
 lives in general Every Saturday Detail car wash
 soap that they use to wash law enforcement
 vehicles is not sanitary for human cleanliness,
 All right ~~separation~~ separation of powers
 have been mutilated to the incarcerated in
 Harris Co, Jail

DEFENDANT'S

District ATTORNEY: Kim Ogg

Kim Ogg REFUSED to release inmate with Agg

Sexual Assault, and sexual Assault, AND our

due process rights been violated, REFUSE to

release EXCUPATORY evidence, AND speedy trial Act, been

violated. ALLOWED other judges out and told other Judges

NOT to Release Agg Sexual Assault in sexual Assault

ON Personal Bond or Bond Reduction, AND NO

Bond over CORONAVIRUS have put our lives

endanger, AND all our constitutional ~~been~~ rights been

violated By Kim Ogg AND the Judges

in Harris Co, Court house, ~~the~~ the inmates

~~Choke~~ charged with Agg. Sexual Assault,

AND sexual Assault.

PARTIES TO THIS SUIT ~ 5-E-3

A. NAME AND ADDRESS OF PLAINTIFF: JAMMIE L. JONES #
01893675
701 N. SAN JACINTO ST HOUSTON TX 77002

3. PLAINTIFF: Justin Dinning 02741010
701 N. SAN JACINTO ST HOUSTON, TX 77002

4. PLAINTIFF: TRAVIS McCAIN Sootoo #02752932
701 N. SAN JACINTO ST. HOUSTON, TX 77002

5. PLAINTIFF: Sheridan Keith Collins #00881940
701 N. SAN JACINTO, ST HOUSTON TX 77002

6. PLAINTIFF:

- C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES ☒ NO
- D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)
1. Court that issued warning (if federal, give the district and division): _____
 2. Case number: _____
 3. Approximate date warning was issued: _____

Executed on: _____
DATE

(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 21 day of 5, 20 20.
(Day) (month) (year)

(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.